

**Iowa Board of Dental Examiners  
Annual Regulatory Plan  
July 2006 – June 2007**

In accordance with Executive Order Number Nine, issued by Governor Vilsack on September 13, 1999, the Iowa Board of Dental Examiners has prepared a Regulatory Plan for fiscal year 2007. This Regulatory Plan lists each regulatory action that the agency reasonably expects to issue during Fiscal Year 2007 and contains the following information: (1) a statement of the agency's current regulatory objectives and priorities; (2) a description of each contemplated regulatory action, including alternatives and preliminary estimates of anticipated costs and benefits; (3) a summary of the legal basis for each action; (4) a statement of the need for each action; (5) the contemplated schedule for the action; and (6) contact information for additional information about the proposed actions.

**Regulatory Objectives and Priorities**

The Iowa Board of Dental Examiners is committed to ensuring that the rules issued under their rulemaking authority at Iowa Administrative Code 650 meet the criteria of (a) need; (b) clarity; (c) intent and statutory authority; (d) cost; and (e) fairness. These criteria are consistent with those outlined in Executive Order Number 8. The purpose of the board is to protect public health, safety, and welfare by administering, interpreting, and enforcing the provisions of law that relate to the practice of dentistry, dental hygiene, and dental assisting. The board's regulatory priorities for fiscal year 2007 will be to adopt rules and amendments consistent with the purpose of the board.

**Contemplated Regulatory Actions, Need for Action, and Schedule for Action**

<b>Chapter # and Title</b>	<b>Description of Action, Alternatives, &amp; Cost</b>	<b>Need/Reason for Action</b>	<b>Schedule for Action</b>
Chapter 1, Definitions	Amend definition of lapsed license to clarify that a person with a lapsed license still holds the privilege of licensure in Iowa, but may not practice until the license is reinstated.  Alternative is to leave existing ambiguity in the rules. No cost to agency.	To eliminate ambiguity in existing rules.	2006
Chapter 11, Licensure	Amend dental hygiene licensure by credentials rules to eliminate requirement that the state from which the applicant comes must extend licensure without exam to	Similar requirement for dentists was eliminated several years ago as it does not affect competency of applicants.	2006

Chapter # and Title	Description of Action, Alternatives, & Cost	Need/Reason for Action	Schedule for Action
	<p>Iowa dental hygienists.</p> <p>Alternative is to continue to impose this requirement, which does not affect minimum competency of applicants. No costs to the agency.</p>		
Chapter 12, Examinations	<p>Amend the rules to clarify the remedial education requirements for dentists and dental hygienists who fail CRDTS, WREB, or any portion of the ADEX examinations.</p> <p>Alternative is to leave existing ambiguity in the rules. No cost to agency.</p>	<p>The new ADEX examination has five parts for dentists and two parts for dental hygienists. Examinees who fail a portion of the exam may retake, with certain limitations, only the part failed. In the past, examinees were required to retake the entire examination. Board rules must clarify when remedial education is required &amp; how failures of part of the examination will be reported for purposes of remedial education.</p>	2006
Chapter 13, Special Licenses	<p>Amend the rules for temporary permits for an urgent need to specify that the applicant must have at least three years of practice experience in another state to be eligible to apply.</p> <p>Alternative is to allow applicants who do not meet minimum eligibility requirements to practice in Iowa. Costs for application review are paid by the applicant.</p>	<p>To ensure that applicants meet the minimum requirements for practicing dentistry in the state of Iowa.</p>	2006
Chapter 14, Renewal	<p>Clarify the way past due fees and penalties are calculated for purposes of license reinstatement.</p> <p>Alternative is to continue to leave ambiguity in the rules. Reinstatement fees are paid by the applicant.</p>	<p>To eliminate ambiguity in existing rules.</p>	2007

<b>Chapter # and Title</b>	<b>Description of Action, Alternatives, &amp; Cost</b>	<b>Need/Reason for Action</b>	<b>Schedule for Action</b>
Chapter 14, Renewal; Chapter 15, Fees; and Chapter 25, Continuing Education	<p>Change the renewal term of licenses and registration so that they expire on August 31, instead of June 30.</p> <p>Alternative is to seek start up funding from the Iowa legislature. This will result in loss of general fund revenue as the Board moves fully to revenue retention, per 2006 Iowa Acts, House File 2748.</p>	<p>The Board is required to ensure revenues generated offset expenditures and any imbalance in one year is offset in subsequent years. Under the new revenue retention system, the Board must collect revenue at the start of each fiscal year to budget expenditures accordingly.</p>	2006
Chapter 16, Prescribing	<p>Consider adopting rules specifying requirements for prescribing controlled substances to family members.</p> <p>Alternative is to continue to review these cases of inappropriate or indiscriminate prescribing under current board rules without putting explicit clarification in the rules. No direct costs to the agency or licensees.</p>	<p>To eliminate any ambiguity in what is the standard of care for prescribing controlled substances to family members.</p>	2006
Chapter 25, Continuing Education	<p>Consider adopting rules specifying the process for imposing penalties and additional requirements under terms of an informal settlement proposed when licensees or registrants fail to obtain the required number of continuing education hours as stated on their application for renewal of a license or registration.</p> <p>Alternative is to proceed to a contested case hearing. Informal settlements cost less for both the agency and the licensee/registrant than a contested case proceeding.</p>	<p>To put licensees and registrants on notice of the likely terms of settlement for failure to comply with continuing education requirements.</p>	2007

<b>Chapter # and Title</b>	<b>Description of Action, Alternatives, &amp; Cost</b>	<b>Need/Reason for Action</b>	<b>Schedule for Action</b>
Chapter 25, Continuing Education	Consider allowing or requiring credit for taking jurisprudence continuing education courses on a periodic basis.  Alternative is to continue to deny continuing education credit for these type of courses. Continuing education course costs are financed by attendees.	To ensure that practitioners stay up to date on state laws that affect their practice in the state and to encourage practitioners by allowing continuing education credit for the activity.	2006
Chapter 28, Designation of Specialty	Amend the definition of prosthodontics.  Alternative is to leave existing definition in the rules. No costs to the agency.	To ensure the rule conforms with the new definition of prosthodontics, as adopted by the American College of Prosthodontists in April 2004.	2006
Chapter 29, Deep Sedation General Anesthesia, Conscious Sedation and Nitrous Oxide	Amend the chapter to clarify training and course requirements for issuance of permits & equipment needs.  Alternative is to leave existing definition in the rules. No costs to the agency.	To eliminate ambiguity in existing rules.	2006
Chapter 35, Iowa Practitioner Review Committee	Open the IPRC to any applicants for licensure or registration and clarify how the IPRC will handle confidentiality issues of participants. Also allow for referral of licensees/registrants who are subject to monitoring due to disciplinary actions.  Alternative is to leave existing ambiguity in rules or prohibit applicants for entering the IPRC. Participants may pay a monitoring fee to ensure compliance with program requirements.	To ensure applicants for licensure or registration are afforded the opportunity to be monitored in a confidential manner for impairments or medical conditions that may affect their ability to practice.  To allow for better monitoring of licensees or registrants with impairments.	2006

### **Summary of Legal Basis**

The changes proposed to the Board's rules would be promulgated under the Board's authority to adopt rules given at Iowa Code sections 147.76 and 153.33. The Board is responsible for enforcing the provisions of Iowa Code chapters 147, 153, and 272C governing the practice of dentistry.

### **Additional Information**

For additional information about the Annual Regulatory Plan or proposed changes to the rules outlined in this plan, contact the Board's Rules Administrator:

Jennifer Hart, Rules Administrator  
Iowa Board of Dental Examiners  
400 SW 8<sup>th</sup> St, Suite D  
Des Moines, IA 50310  
Phone (515) 281-0997  
Fax (515) 281-7969  
E-mail [Jennifer.Hart@iowa.gov](mailto:Jennifer.Hart@iowa.gov)